



**Steven L. Beshear**  
Governor

**TRANSPORTATION CABINET**

Frankfort, Kentucky 40601  
www.transportation.ky.gov

**Michael W. Hancock, P.E.**  
Acting Secretary

**COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
FRANKFORT, KY**

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 106015

SUBJECT: DECLARATION OF EMERGENCY FOR DAMAGE RELIEF CAUSED BY  
FLOODING

WHEREAS, beginning on May 1, 2010, strong storms producing tornados, severe thunderstorms, heavy rainfall, flash flooding and generalized flooding moved across the Commonwealth of Kentucky. This has resulted in the loss of life and personal injury, widespread damages, flooding, power outages, road closures and damage to both public and private property; and

WHEREAS, in direct response to these continuing conditions, Governor Steven L. Beshear declared a statewide state of emergency, effective on May 1, 2010; and

WHEREAS, the Governor has directed all state agencies to take all necessary steps as needed in response to this emergency; and

WHEREAS, 49 CFR Part 395, KRS 251.730, 601 KAR 1:005 impose maximum driving time upon drivers of motor carriers delivering certain relief supplies;

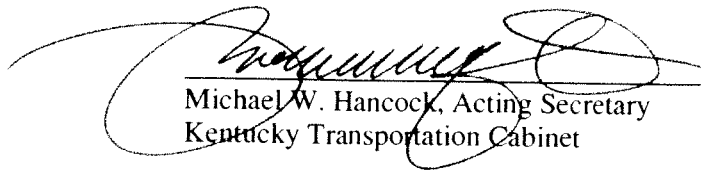
NOW, THEREFORE, pursuant to the authority vested in me by virtue of KRS 281.730, 49 CFT 390.23, and by the emergency declaration of the Governor, I hereby declare:

1. That a state of emergency exists requiring relief from the hours of service imposed upon the transporters of relief supplies, to include food, water, medicine and other commodities within the affected areas. This shall also include any utility vehicle responding to affected areas in response to power restoration and debris removal. This shall only apply to those truck drivers transporting goods or the restoration of utilities as part of the relief effort.



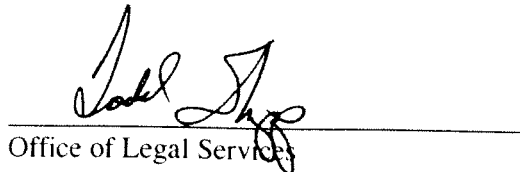
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2. That a commercial motor vehicle and its operator transporting vital commodities and the restoration of public utilities, to include waste disposal shall be exempt from the hours of service imposed under 49 CFR 395, 601 KAR 1:005 and KRS 281.730 during the period of this emergency.
3. That the Department of Vehicle Regulation (Department) is authorized to waive certain size and weight restrictions as they determine to be appropriate to meet the needs of the affected areas. In order to insure the safety of the traveling public and its infrastructure, the carrier must obtain all necessary permits for route verification.
4. That the Department is hereby directed to waive all economic requirements normally associated with intrastate and interstate motor transportation for all vehicles providing relief supplies to the affected areas.
5. That all other safety requirements shall remain in full force and effect.
6. That this declaration of emergency shall remain in effect until 12:01 a.m. EDT, May 17, 2010.
7. That any driver operating under authority of this Declaration of Emergency shall have a copy of this Declaration in the cab of the vehicle.

  
Michael W. Hancock, Acting Secretary  
Kentucky Transportation Cabinet

Done this 3<sup>rd</sup> day of May, 2010 at Frankfort, Kentucky

Approved as to form and legality:

  
Office of Legal Services